

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Jonathan B. Goldsmith,
Appellant
v.
United States Trustee,
Appellee

2:15-cv-02473-JAD

**Order Lifting Stay and Resetting Briefing
Schedule**

[ECF No. 16]

Attorney Jonathan B. Goldsmith appeals from United States Bankruptcy Judge Nakagawa's order in debtors Luis and Dorian Burgos' bankruptcy case granting the United States Trustee's motion for Goldsmith to disgorge money that was paid to him by the debtors and denying Goldsmith's renewed application for allowance of fees and expenses.¹ Two months after the notice of appeal was filed, the parties informed me that they had reached a settlement that would resolve this appeal.² So I vacated the briefing deadlines, stayed this appeal, and remanded the case back to the bankruptcy court for the limited purpose of allowing it to consider the proposed settlement that had been reached between the parties.³

The Trustee informs me that, after it moved the bankruptcy court to approve the settlement, a dispute arose between the parties and the U.S. Trustee was forced to withdraw the motion.⁴ The docket in the debtors' bankruptcy case reflects that the bankruptcy court accepted the limited remand from this court for the purpose of considering the motion to approve the parties' settlement, denied that motion because it had been withdrawn by the Trustee, and

¹ ECF No. 1.

² ECF No. 12.

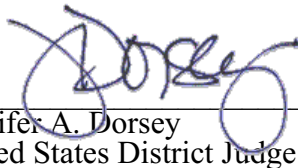
³ ECF No. 13.

⁴ ECF No. 14.

1 ordered the parties to return to this court to continue the appeal.⁵ The Trustee now moves me to
2 lift the stay and reset the briefing deadlines in this appeal.⁶

3 Accordingly, with good cause appearing, IT IS HEREBY ORDERED that the Motion to
4 Reset Briefing Deadlines [ECF No. 16] is GRANTED; the stay of this case is LIFTED.
5 Appellant's opening brief is due by **Monday, August 8, 2016**. Appellee must file and serve its
6 answering brief **within 30 days after service** of the opening brief. Appellant must file and serve
7 its reply brief **within 14 days after service** of the answering brief. Finally, the parties are
8 reminded that excerpts of record must be filed as exhibits to the briefs and in compliance with
9 LR IA 10-3.⁷

10 DATED: July 5, 2016

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12 Jennifer A. Dorsey
13 United States District Judge
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25 ⁵ *In re Luis Burgos & Dorian A. Burgos*, BK-S-12-16894-MKN, at ECF No. 205 (Bankr. D. Nev.
26 June 15, 2016). I take judicial notice of this order under FRE 201.

27 ⁶ ECF No. 16.

28 ⁷ LR 8011.